IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr.A No.33 of 2000

Decided on : March 13, 2007

State of H.P. **…..Appellant.**

VERSUS

Kirpal Singh **…..Respondent.**

Coram

The Hon'ble Mr. Justice Surjit Singh, Judge.

Whether approved for reporting?

For the Appellant : Mr. Ashok Chaudhary, Additional Advocate General.

For the Respondent : None.

Surjit Singh, Judge (Oral)

Heard and gone through the record.

2. Respondent Kirpal Singh was sent up for trial for causing an accident by rash or negligent driving of truck No.HRX-6669, in which a person received simple and grievous injuries. It was alleged that on account of the rash or negligent driving of the aforesaid truck by the respondent, a head-on collision took place with another truck bearing registration No.HPA-1695, which was being driven by one Balbinder Singh and on account of that collision, Balbinder Singh, the driver of the other truck, sustained injuries. The respondent denied that he was driving the vehicle in a rash or negligent manner. Besides this, he pleaded that the tyre-rod end got broken all of a sudden and because of that the steering of his truck was rendered free. The prosecution could not produce Balbinder Singh, the driver of the other truck, because he was not found on the address given in the challan. It was Balbinder

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Whether the reporters of the local papers may be allowed to see the Judgment?

Singh, who could have stated whether the cause of the accident was rash or negligent driving of the truck by the present respondent or something different.

3. In view of the abovestated position, the view taken by the learned Judicial Magistrate that the case does not stand proved beyond reasonable doubt cannot be said to be illegal. Hence, the appeal is dismissed.

March 13, 2007(sd) **(Surjit Singh), J.**